

MAR 15 2006

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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March 15, 2006

**FACSIMILE COVER SHEET**

To: Examiner Kenneth Tang  
Art Unit 2195  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 571-273-8300

**Enclosures:**

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Notice of Appeal containing Certificate of  
Facsimile Transmission (1 page)

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Application No. 09/939,235  
Filed: August 24, 2001  
Applicant: William Joseph Armstrong et  
al.  
Art Unit: 2195  
Confirmation No.: 3405  
Our Ref: IBM/209

Pages: 2 (including cover sheet)

**MESSAGE/COMMENTS  
OFFICIAL****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (2 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Kenneth Tang, Art Unit 2195, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on March 15, 2006.

*Judith L. Volk*  
Judith L. Volk

*March 15, 2006*  
Date

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MAR 15 2006

PATENT

Attorney Docket No. ROC920010252US1 (IBM/209)  
Confirmation No. 3405

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William Joseph Armstrong et al.  
Application No.: 09/939,235  
Filed: August 24, 2001  
For: YIELD ON MULTITHREADED PROCESSORS

Art Unit: 2195  
Examiner: Kenneth Tang  
Atty. Docket No.: ROC920010252US1

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed **December 15, 2005** finally rejecting claims **1-27 and 31-32**.

The item(s) checked below are appropriate:

1. ☐ Applicants hereby petition for a      month extension of time to reply to the final rejection.  
A check in the amount of \$      is attached.
2. ☒ Appeal Fee: XXX Other than a small entity Fee: \$500.00  
     Small Entity Status previously Fee: \$      
     Requested and is still proper  
     Small Entity Status Requested Fee: \$
3. ☒ Payment  
     Check attached for the sum of \$     .  
XXX Please charge the sum of \$500.00 and any deficiency or credit  
any overpayment to Deposit Account No. 23-3000.

03/16/2006 HTECKLU1 00000042 233000 09939235

01 FC:1401 500.00 DA

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Respectfully submitted,

By: 

Douglas A. Scholer  
Reg. No. 52,197

Date: 3/15/06

## CERTIFICATE OF FACSIMILE TRANSMISSION

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Judith L. Volk March 15 2006  
Judith L. Volk Date

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Application No. 09/939,235  
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